

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 17-32 remain pending in the application. Claims 17 and 21 have been amended.

Applicant appreciatively notes that claims 18-20 and 22-32 are objected to as being dependent upon a rejected base claim, but requests that this be held in abeyance pending allowance of independent claim 17.

Claims 17 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Ishihara, (U.S. Patent No. 6,906,641). In response, claim 17 has been amended and is believed to be patentable over Ishihara for the reasons discussed below.

Ishihara does not disclose or suggest a display system displaying background terrain information by superposed slices and false color chosen as a function of a relative altitude reference having the value of the short term predicted altitude for the aircraft at the moment of the detection of a risk of collision. The relative altitude reference taught by Ishihara has three fixed values depending on the aircraft phase of flight.

The display for terrain anticollision equipment cited in claim 17 comprises means for adjustment that vary the reference display altitude, when a risk of terrain collision is detected as a function of "the slopes of the trajectory of the aircraft at the instant of detection of a risk of terrain collision and at the present instant". The means for adjustment is believed to distinguish over Ishihara.

Ishihara discloses an enhanced ground proximity warning system for helicopter that comprises a display system displaying background terrain information by superposed slices and false color chosen as a function of a relative altitude reference. This relative altitude reference is a predetermined or a predefined amount beneath the aircraft. In fact, this predetermined or predefined amount beneath the aircraft is function of the aircraft phase of flight and has three fixed values: a first value for a cruise phase; a second value for an approach phase; and a third value for a landing phase. The aircraft phase of flight is identified by means of the instantaneous value of the ground speed of the aircraft.

Ishihara does not disclose or suggest a display system displaying background terrain information by superposed slices and false color chosen as a function of a relative altitude

reference that varies, when a risk of terrain collision is detected as a function of "the slopes of the trajectory of the aircraft at the instant of detection of a risk of terrain collision and at the present instant." In fact, the slope of the trajectory of the aircraft is similar to the vertical speed of the aircraft and has nothing to do with the ground speed of the aircraft that is similar to the horizontal speed of the aircraft. Moreover, Ishihara does not teach the other limitations of amended claim 17. Accordingly, this rejection should be withdrawn.

Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 21 has been amended to delete the word "latter" and replace with --reference display altitude--. Accordingly, this rejection should be withdrawn.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
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